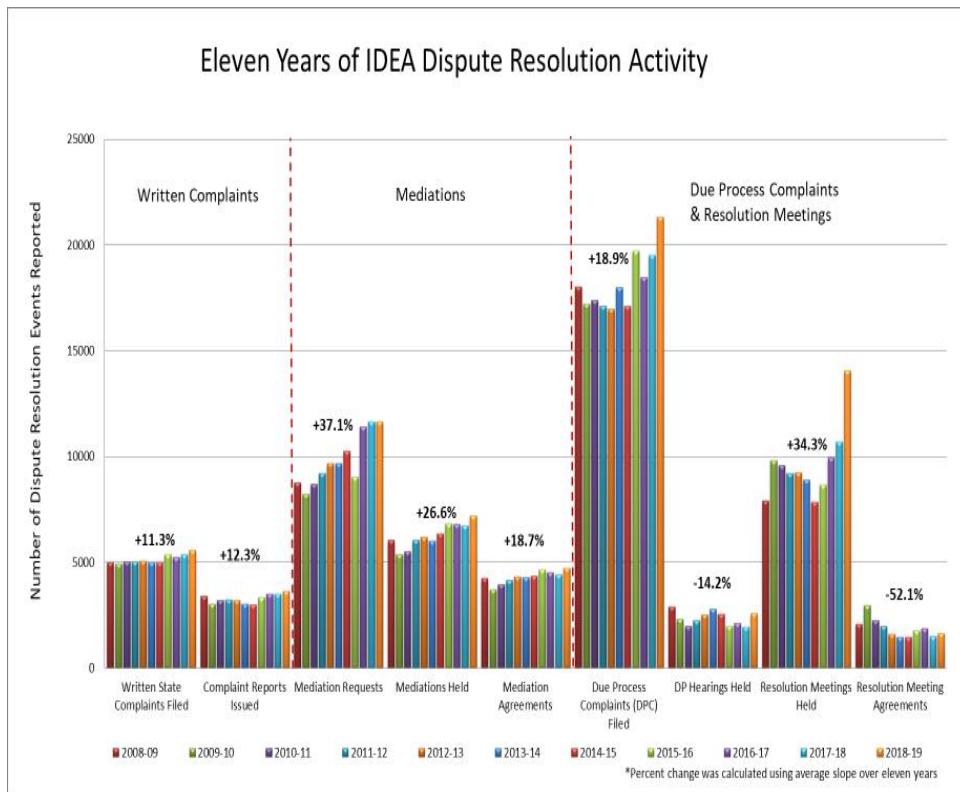


## Trends in Dispute Resolution under the Individuals with Disabilities Education Act (IDEA)

Updated November 2020

IDEA requires that States and entities receiving Part B funds offer processes to resolve disagreements arising under the IDEA. These processes include written state complaints, mediation, and due process complaints (which include resolution meetings).



### Written State Complaints

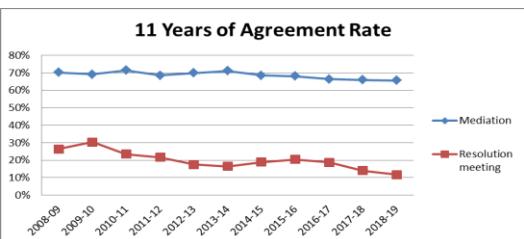
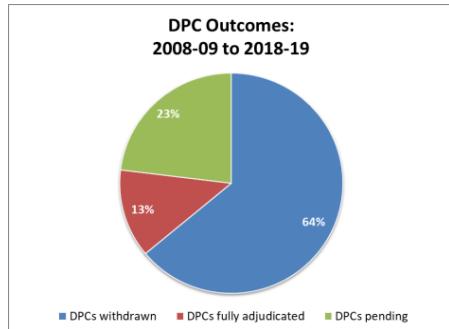
*Written State Complaints Filed and Complaint Reports Issued* have remained relatively steady over the 11-year period, showing a slight increase in the last four years. Over the 11-year period, 64% of complaints filed resulted in a *Complaint Report Issued*. Notably, 65% of reports issued yielded findings of noncompliance. Written state complaint investigations continue to be timely with the percentage of reports completed within the 60-day timeline ranging between 90 - 94% in each of the 11 years.

### Mediations

With the exception of 2015-16, *Mediation Requests* continue to show significant increase with a 37% change over the last 11 years. Mediation agreements continue an upward trend with the 2018-19 national average mediation agreement rate remaining steady at 66%.

### Due Process Complaints

*Due Process Complaints* continue to be on the rise with requests reaching their 11-year peak in 2018-19. Overall, four states account for 76% of complaints filed, with one state contributing a staggering 47% of the total due process complaint activity this year. Similarly, two states account for 80% of *Due Process Hearings Held* in 2018-19. Over the last 11 years, 87% of *Due Process Complaints Filed* were withdrawn, dismissed, or resolved without a hearing (64%), or pending at the end of the school year (about 23%). Only 13% of *Due Process Complaints Filed* resulted in a fully adjudicated hearing (*DP Hearings Held*). Despite an uptick in 2018-19, there continues to be a negative trend in the number of hearings held over the 11-year period.



The number of *Resolution Meetings Held* continues to be inconsistent over time, with 2018-19 marking the highest number of sessions held over an 11-year period. *Resolution Meeting Agreements* continue to fall far short of the number of meetings held resulting in a national average resolution meeting agreement rate of 12% in 2018-19. Despite the significant increase in the number of *Resolution Meetings Held*, *Resolution Meeting Agreements* are on a downward trend. Over the 11-year period, *Resolution Agreements* show a 52% decline.

### Collaborative Dispute Resolution Approaches

States continue to make investments in early conflict resolution activities not required by the IDEA, while simultaneously working to improve required dispute resolution systems. CADRE contends that well-designed, skillfully implemented and collaborative approaches, such as IEP facilitation and mediation, can mitigate the use of more adversarial dispute resolution processes. Early dispute resolution options are generally more cost effective and more expedient than other processes and may foster collaborative educator-family relationships.

\*Percentages calculated using raw numbers from CADRE's National Longitudinal Database. See [National Data Summary](#) for more information.